

**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

|  |   |                              |
|--|---|------------------------------|
| In re United States Patent Application of: | ) | RECEIVED                     |
| Applicant: Adam G. Malofsky et al.         | ) | CENTRAL FAX CENTER           |
| Serial No.: 09/840,859                     | ) | OCT 20 2004                  |
| Filed: April 24, 2001                      | ) | Examiner: D.R. Zirker        |
| Title: FASTENING DEVICE                    | ) | Art Group: 1771              |
|  | ) | Atty. Docket 7962801/0503762 |

**CERTIFICATE OF TRANSMISSION**

I hereby certify that this document totaling 18 pages is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (703) 872-9306, on October 20, 2004.

  
Edward K. Welch II

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**AMENDMENT AND RESPONSE TO NOTICE OF NON-COMPLIANT  
AMENDMENT DATED OCTOBER 1, 2004**

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Non-Compliant Amendment issued on October 1, 2004 with respect to the above-identified pending patent application, the undersigned herewith submits substitute, corrected pages 2 thru 10, the "amendments to the Claims section, to the amendment document entitled "Amendment and Response to Final Office Action Dated June 7, 2004" filed on September 23, 2004 with Applicants' Request for Continued Examination.

Response to 10.01.04 Notice

USSN 09/840,859

The undersigned apologizes for his improper use of the term "Deleted" in substitution for the proper term "Cancelled" in the claim listing. It appears that this was the only omission in the amendment and, therefore, it is now believed that the amendment is in proper form and should be entered and considered.

Respectfully submitted,



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